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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES,

No. CR 92-00126 SBA

Plaintiff,

ORDER

v.

[Docket No. 209]


MICHAEL P. HOLLINS,

Defendant.

Before the Court is defendant's Rule 35 Motion, Section (B) Reduce, Vacate, or Set Aside (the "Motion") [Docket No. 209]. Defendant is in custody and seeks release from the United States Bureau of Prisons allegedly to assist federal and local law enforcement officials as a confidential informant. Defendant seeks release under Federal Rule of Criminal Procedure 35(b). This subdivision only provides for a reduction in sentence on motion *made by the government*, after sentencing, requesting such a reduction, for substantial assistance provided by a defendant to the government, post-sentencing. Fed. R. Crim. P. 35(b)(1)-(2). The government has not made such a motion, nor is it clear defendant has of yet provided any assistance to any law enforcement officials. The Court thus DENIES the Motion without prejudice.

IT IS SO ORDERED.

October 20, 2008


Saundra Brown Armstrong
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4
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6 USA,

Case Number: CR92-00126 SBA

7 Plaintiff,

CERTIFICATE OF SERVICE

8 v.

9 HOLLINS,

10 Defendant.
11 _____/

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court,
13 Northern District of California.

14 That on October 20, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
17 in the Clerk's office.

18 **Michael P. Hollins** (1)
19 86871-011
20 United States Penitentiary
21 P.O. Box 5500
22 Adelanto, CA 92301

23 Dated: October 20, 2008

24 Richard W. Wieking, Clerk
25 By: LISA R CLARK, Deputy Clerk
26
27
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